

victim IMPACT

A publication to advance rights & services for crime victims in Massachusetts

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A Conversation with Kevin Burke

by Karen Dempsey

In 1983, the Massachusetts legislature passed the state's first Victim Bill of Rights law. The law went into effect in 1984. Former Essex County

District Attorney Kevin Burke, who left office just last year, was largely

responsible for that historic accomplishment. He recently spoke to Karen

Dempsey about the process and the state of victim rights in Massachusetts.

KD: *Advocates who are newer to the field did not experience the system firsthand 25 or 30 years ago. Can you describe what victims were likely to encounter before rights and services became the norm?*

KB: Victims were always those lonely figures that stood out in courthouses, especially busy district courthouses. They stood unattended, and seemingly, from the expressions on their faces, were stunned to be in that setting. Swirling about them were lawyers talking to lawyers, police talking to police, lawyers talking to police—it was an amazing sight that to some degree got worse inside the courtroom, where the system seemed to revolve around the defendants' concerns. That was the reality of the system at that time.

KD: *A number of the rights afforded by the victim bill of rights were already being offered to victims in some parts of the Commonwealth at the time the law was enacted. What do you remember as being*

the greatest obstacle to formalizing those rights?

KB: I think they were very sporadically offered or available. It depended on the judge and the district attorney and the personality of the victim advocate who might or might not be present. Victim advocate programs at that time were largely federally funded programs that offered nowhere near the comprehensive services afforded today. The biggest challenge was institutionalizing and standardizing those rights, so that victims were no longer subject to the whim of individuals. Before, you might have individuals in the system who wanted to do something for a victim and, for example, the clerk's office might not be willing, or perhaps the clerk's office served victims' needs well but you did not have someone doing the same in the police department. Sporadic coverage really was the situation prior to institutionalizing these rights by statute.

(continued on page 14)

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Karen Dempsey

Victim IMPACT

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Message from the Executive Director - Spring-Summer 2003

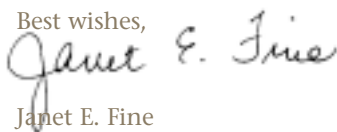
As the extent of the budget crisis and its potential impact became increasingly apparent this spring, MOVA and our VOCA-funded providers were simultaneously working through the stresses and challenges of the open-bid grant process. Our commitment to a fair and equitable process remained paramount in a climate that reminds us daily that even the most basic services for victims may be in jeopardy in the coming years.

We are grateful to all of our colleagues who participated in the open bid and showed patience and understanding through an arduous process, one that unfortunately could not meet all the needs of providers and survivors. We look forward to working with grantees during this challenging time, supporting their work and assisting them with meeting the federal VOCA guidelines and reporting requirements, and continuing to keep our eyes and ears open to suggestions for this funding process in the future.

The imperative to stretch our resources in this fiscal crisis no doubt leaves providers feeling in competition with their colleagues for a shrinking pool of funds. And yet, the need for true collaboration has never been greater. Massachusetts benefits from an incredible network of skilled and committed providers who have worked over the decades to build strong ties between and among individuals and programs. These relationships will serve us well as we move forward in our efforts to fill the gaps in services to crime victims and meet the needs of providers as well.

Reflection and re-examination of victim rights and services will remain a theme through the coming year as Massachusetts celebrates the 20th anniversary of the Victim Bill of Rights. An article on page 14 of this issue describes MOVA's plans to recognize this significant milestone and to facilitate a conversation among our partners about the past, present, and future of our work.

Best wishes,



Janet E. Fine

What We're Reading

Survivors and providers recommend an array of books for the summer

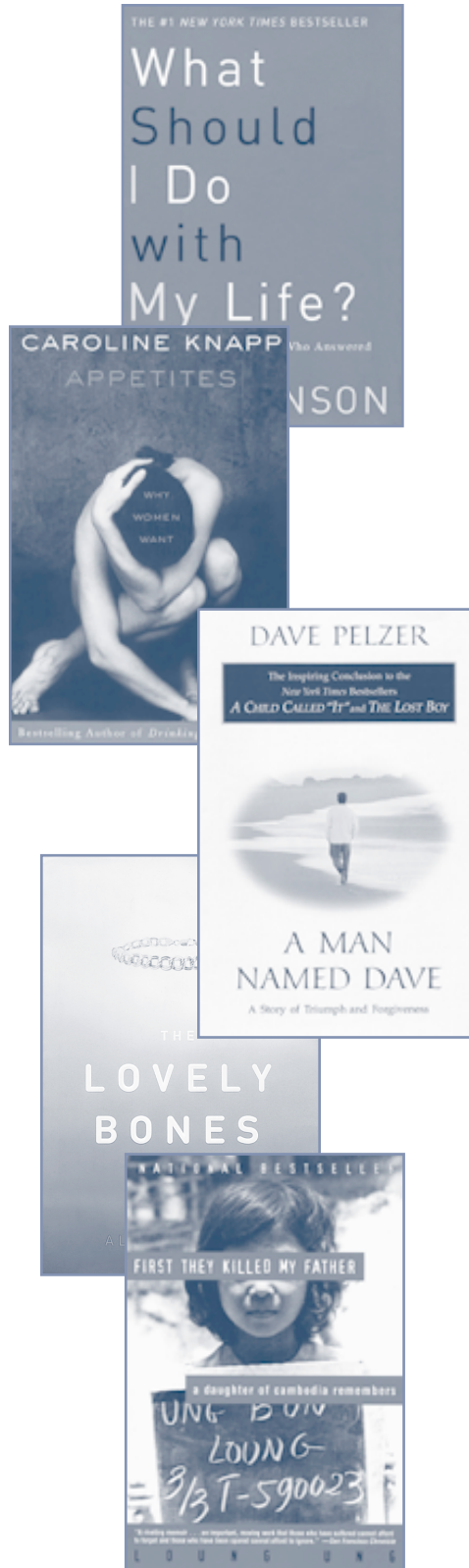
Katya Fels

Executive Director, On The Rise, Inc.

A book I read recently (and liked so much that I asked the author to speak at our annual Prepare for Winter Dinner) is *What Should I Do With My Life* by Po Bronson. It is not a find-your-bliss book (meaning it's not a how to be happy in five easy steps book, or a book which promises happiness, fame and fortune if you follow your inner dream). Instead, the author spent two years traveling the country interviewing people about their professional choices. I was drawn to it partially because we as a society act as if self-determination is the playground of those who have some financial security and/or those who do not face disabilities or other obstacles. In doing so, we condemn poor people and those with disabilities to jobs that do not use their talents or pre-disposition. Indeed, few homeless women I know are encouraged to ask themselves, "What should I do with my life?"

I'm now reading *Appetites: Why Women Want*, by the late Carolyn Knapp. *Appetites* explores how our society dictates what women should want and punishes appetite. Carolyn was anorectic for some time, and the book begins with several of the best chapters I have read about anorexia (not romanticizing, not pathologizing, just real and probably very understandable to those rare people who haven't felt ambivalent at best about their weight), and branches into appetites for material things and for companionship and connections.

I have bought Alice Sebold's *The Lovely Bones* and have not yet read it. I first plan to read *A Problem from Hell: America and the Age of Genocide*, by Samantha Powers, which a mentor gave me a year or so ago.



Davy Sokha

Survivor

Last year, I read *First They Killed My Father* by Loung Ung, a survivor of the Cambodian civil war. I had been ignorant about this topic for a long time. My parents do not like talking about the war with us and never told us anything about their experiences. I can understand that. For my own knowledge, I started reading about the war. I found it really sad and painful to know all that my parents and family had to endure during that crucial period. Loung Ung describes how she lost her beloved father and other members of her family. She also talks about how family members survived the war and their reunion after the war ended. When I read this book, I was wondering what kind of world I lived in. There was no pity, no mercy and no love. There was only hatred and destruction. This book helped me to understand more about my own family's life during that time.

Johnice Veals

Northeastern University criminal justice student and MOVA co-op intern

I read *A Man Named Dave* by David Pelzer. I found the book very interesting because it deals with the aftermath of victimization and conveys how David finds some closure to his experience as a victim. I recommend that if you have not read it, you should do so.

At the moment I am reading *Incidents in the Life of a Slave Girl* by Harriet Jacobs. The book is the true story of woman growing up as slave in North Carolina and the events of her life. It is a great book, and I recommend it to anyone.



Deborah Brunet
Survivor

M. Scott Peck, the author of *The Road Less Traveled*, has written another, lesser-known book, *People Of The Lie*. It presents a dialogue about the balance of good and evil in our lives. I read it often if only to remind myself that we can take back control in many ways and fight back by living our lives and by not being consumed by the violence.

The Poetry Of Healing by Rafael Campo is a series of powerful and eloquent essays about healing and the human spirit.

A Broken Heart Still Beats: After Your Child Dies is a series of readings, poems, essays, scriptures and conversations collected by two mothers who lost their children to homicide. Edited by Anne McCracken and Mary Semel, the book came of these mothers' realization they were reading and re-reading certain pieces that brought them much comfort.

Yvette Modestin
Director of Emergency Services, Casa Myrna Vazquez and native of Panama

In his latest book, *Why I Love Black Women*, Michael Eric Dyson continues to move me with his words and inspire me as an Afro-Latina to celebrate the strength and beauty of African-American women. He writes of such women as Angela Davis, Toni Morrison, Myrlie Evers-Williams, Susan Taylor, and your everyday black woman. At the end I am empowered, and remember how he captured me from the beginning in his preface, "Because I'm a Black Woman in America."

Julia Alvarez, one of today's most celebrated Latina writers, wrote *In the Name of Salome* about Salome Urena, the first female poet of the Dominican Republic. Urena's poetry was patriotic and challenged the government to see the importance of a woman's voice, which led to the first school for girls. Alvarez's book tells a story of mother and daughter, the poet Salome and teacher Camila, and how they confronted machismo and oppression in their country. This book reaffirms the strength of the Latina woman and the impact we have made in what some may still feel is a male-dominated society.

I also recommend *Gift from the Sea* by Anne Morrow Lindbergh and *The Way Forward is with a Broken Heart* by Alice Walker.

Carlene Pavlos, Director
Division of Violence and Injury Prevention
Department of Public Health

Why Does He Do That? is a very helpful book that examines abusive men and their behavior. Local author Lundy Bancroft is a wonderful and clear writer who can give those who are experiencing domestic violence help in identifying it

If I looked into the mirror would I see the serious face I had then? The deeply sunbrowned skin? The bushy hair? The grief that steadily undermined the gains in levity, after each of the assassinations of little known and unsung heroes; after the assassination of Dr. King?

-Alice Walker, *The Way Forward is with a Broken Heart*

Broken Vessels is a collection of essays by Andre Dubus, who became disabled while helping someone change a tire. I find it rich and literary and beautiful to read.

When I started working in advocacy, *Lobbying On A Shoestring* really took the mystery out of how to talk to lobbyist or politicians and the process of change. It is very hands-on, and it is available for purchase at the Massachusetts Lawyers Association.

I haven't yet read *Half the House: A Memoir*, but I can't wait. I have heard Richard Hoffman speak on a number of occasions and his insights into child sexual assault, its causes and its effects, have been invaluable.

For pleasure, I recommend *The Bean Trees* by Barbara Kingsolver (or for that matter, anything written by Barbara Kingsolver). This is a magical novel about a young woman, a little girl she rescues from abuse, and the life they create through confidence and courage and love.

And finally, *Harry Potter, The Order of the Phoenix, Book IV* by J.K. Rowling—like half the ten-year-olds in America, I can't wait!

Julie Guptill
Survivor

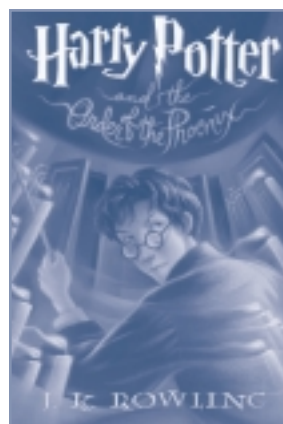
As a special education teacher, Torey Hayden has a remarkable gift—the ability to touch the lives of the most untouchable children. In *Beautiful Child*, seven-year-old Venus Fox ends up in Hayden's classroom as one of five very challenged children. Unlike the others, Venus remains untouchable—completely unresponsive, deprived, and totally silent—throughout most of the school year. Hayden ultimately helps this amazing young girl rise above the true horrors she has experienced. Both heartbreaking and inspiring, *Beautiful Child* reminds me that every survivor has her process and, with work and respect, it will persist.

Set in Turkey during the 1950's, *The Virgin's Knot* by Holly Payne weaves history, culture, faith, and the spirit of a woman into a captivating journey. Nurdane is the Polio-stricken young virgin of the title and lives with her father in the village where patriarchal order dictates life for all. The disease ruined her legs, but villagers for miles believe

her hands are pure, and believe that if they remain that way Allah will speak through them. Nurdane knots hundreds of prayer rugs that serve as other women's matrimonial dowry rugs, even though she knows she will never see the same fate. Surrounded by the "duty" and expectations of women, Nurdane weaves life into her rugs and creates her own path while doing so. Nothing unravels the spirit of a woman.

Westy Egmont
Executive Director
International Institute of Boston

The International Institute covers every issue from refugee resettlement to torture treatment, from education to hospitality training, so a variety of subjects seek attention. Right now I am reading *The Spirit Catches You and*



I have always felt that the action most worth watching is not at the center of things but where edges meet.

—Anne Fadiman, *The Spirit Catches You and You Fall Down*

You Fall Down by Anne Fadiman to reassess how western medicine and the work of provider agencies impact our clients. The book describes the tragic illness of Lia Lee, a Hmong girl diagnosed with epilepsy whose treatment was marred by communication barriers and mistrust between cultures. The Hmong have been here for 20 years, but with the Somali Bantu immigration wave this coming year we must re-examine the lessons of our responses in the context of illiteracy and non-scientific communities.

For those who liked *Angela's Ashes*, this is the summer to read Nuala O'Faolain's two books, *Almost There* and *Are You Somebody*. Funny, touching and frank about what she calls "the Irish sickness: drink for men, anger for women." ■



The Intervention Question: **Do batterer programs “work”?**

by Karen Dempsey

(With thanks to Nikki Paratore and Mark Bergeron-Naper of the Department of Public Health for their review and contributions to this article.)

Do batterer intervention programs “work”? Experts and observers disagree on the answer. Of primary significance is the lens through which we view the programs and our varying definitions of success. If we define success as changing batterer behavior, much of the research indicates that model programs do prevent further physical abuse for a significant percentage of those batterers who actually complete them. But many experts and advocates emphasize that, in defining and measuring success, the true benefits of the programs lie in their monitoring and tracking value.

Though some would call monitoring and tracking secondary or tertiary purposes of batterer intervention programs, other experts view it as a primary purpose. Program providers can follow batterers as they move on to other relationships and, potentially, to other victims. With observation of the batterer through the group process and with carefully collected, voluntary input from the batterer’s partners, program facilitators are well positioned to gauge whether the batterer is rejecting the program and to report back to the probation officer and the court on a batterer’s progress.

Partner contact requires a careful and sensitive approach. Today, most programs will not directly disclose to the batterer a victim’s allegation of further abuse, even with the victim’s permission, because of the fear of reprisal. However, partner input can inform the larger picture of the batterer’s progress, and if a victim identifies particular issues, such as ongoing financial control, the program facilitator can explore that dynamic in the general group setting and document the batterer’s discussion of the issue in that context. Most important, through careful partner contact

the program can serve as a referral source for victims who might not otherwise find services and resources.

Some judges express reluctance to order batterers into a program if the offender does not have a criminal record of prior abuse. Victims of battering and their advocates have long held that even a single arrest signals a larger problem. The research supports that position: “[O]ne careful study found that the proportion of arrests to victim-reported abuse was 1 in 35; that is, for every reported arrest, there were 35 assaultive actions.”¹ Skeptics also voice concern about the impact on a group’s success of ordering offenders into groups versus involving offenders voluntarily. But those experienced at running the programs say that skilled professionals leading batterer intervention programs are trained to identify and address the very responses anticipated from that population—the minimizing and denying of abusive behavior. Working through that denial is at the core of the groups’ purpose and design.

Other important considerations include the financial cost to the offender and the required time commitment, which might interfere with employment or family responsibilities. But such realities are the byproduct of necessary measures of consequence, and the prospect of incarceration only multiplies these realities. Still, the potential consequences for a batterer’s dependent family underscores the importance of connecting victims to resources in the community and necessitates meaningful collaboration between batterer program providers and programs serving victims of abuse. (For example, one provider in Texas found, anecdotally, that program participants were adopting the language of the group and using it against their

partners, accusing them of the controlling behaviors they were guilty of themselves. The battering partners claimed an expertise on relationship dynamics that they then turned into another tool of abuse. The program’s involvement in a community-wide task force enabled providers from the intervention program and battered women’s service programs to engage in a dialogue about the implications of such behavior and how to guard against it.)

Developing and maintaining linguistic and cultural capacity remains an ongoing challenge for batterer intervention programs, and a coordinated response is essential in reaching all communities. Agencies providing referrals and complementary services must also have sufficient outreach capacity for all populations to sustain specialized groups and support victims of underserved populations.

While debate continues about what works, experts and advocates find some common ground in identifying responses sure to fail—or even jeopardize victims further. In Massachusetts and elsewhere, some judges and probation officers continue the dangerous practice of sending batterers to more abbreviated anger management courses. There is real concern among advocates and practitioners in the field that those running such programs do not have the expertise to understand the dynamics of battering and recognize a batterer’s skilled manipulations. More to the point, though: experts know that batterers are, in fact, quite skilled at managing their anger—and directing it intently at their victims. The dish smashed against the wall, the threat, the punch, are punctuations along a meticulously laid route to control through fear, isolation,

(continued on page 11)

Findings

NHTSA reports continued rise in alcohol-related traffic deaths

The National Highway Traffic Safety Administration (NHTSA) reported a three-percent increase in alcohol-related traffic deaths in 2002. Of all traffic fatalities, alcohol-related deaths accounted for 17,970 deaths, or 42 percent, up from 41 percent of all deaths in 2001. Deaths in lower-alcohol crashes (.01-.07 blood alcohol content) dropped 7.2 percent, while fatalities in higher-alcohol crashes (.08 BAC and above) rose 4.7 percent. NHTSA collects crash statistics annually for the annual report on fatality trends. Alcohol-related fatalities have risen steadily since 1999. View preliminary report summaries at <http://www.nhtsa.dot.gov>.

Study ties childhood victimization to mental health problems and delinquency

A National Institute of Justice report links childhood victimization to subsequent mental health problems and delinquency. Researchers used National Survey of Adolescents data to study the prevalence of sexual and physical assault, physically abusive punishment, and witnessing violence, and their effects on mental health, substance use, and delinquent behavior problems. Results showed that more than one in eight seventeen-year-olds have experienced posttraumatic stress disorder. Negative outcomes in victims of sexual assault were five times higher than those in nonvictims. Access "Youth Victimization: Prevalence and Implications" at www.ncjrs.org.

CDC finds health-related costs of intimate partner violence against U.S. women exceed \$5.8 billion annually

Health-related costs of sexual and physical assault, stalking, and homicide of U.S. women by their partners exceed \$5.8 billion each year, according to a report by the Centers for Disease Control and Prevention (CDC). Direct medical and mental health services account for nearly \$4.1 billion in costs, and productivity losses account for close to \$1.8 billion. The study defined intimate partner violence as violence committed by a spouse, ex-spouse, current or former boyfriend or girlfriend, and used data from the 1995 National Violence Against Women Survey. The CDC said the findings likely underestimate the economic burden of intimate partner violence. Access the report at www.cdc.gov.

Study doubts competence of younger juveniles charged as adults

A significant percentage of children ages 15 or younger charged with a crime are not competent to stand trial, according to a study by John D. and Catherine T. MacArthur Foundation's Research Network on Adolescent Development and Juvenile Justice. The study found that a third of children ages 11 through 13 and a fifth of those ages 14 or 15 understood legal matters at a similar level as mentally ill adults who have been found incompetent to stand trial. According to the most recent available Justice Department statistics, 12 percent of juveniles charged as adults in 1996 were ages 16 or younger.

Half of violent crimes went unreported in 2000, says Justice Department

According to the Bureau of Justice Statistics, U.S. Department of Justice, less than half of all violent crimes committed in the U.S. in 2000 were reported to police. About 49 percent of the 6.2 million rapes, armed robberies, and assaults committed that year were reported. Armed robbery was most likely to be reported, simple assault least likely. Crime victims most often cited "a personal matter" as the reason for not reporting crimes, particularly rapes and simple assaults. About five percent said they feared reprisals, a number that rose to 12 percent for victims who did not disclose sexual assaults. View the report at www.usdoj.gov/bjs.

Report finds record number of African American children living in extreme poverty

The number of African Americans under age 18 living in extreme poverty rose to one million in 2001, a number higher than in the 23 years for which such data exist. The findings from the Children's Defense Fund analyzed data from the U.S. Census Bureau's Current Population Survey, the source of official government poverty statistics. Extreme poverty is defined as below half the poverty line, which in 2001 was \$7,064 in income for a three-person household. Download the report at www.childrensdefense.org.

VICTIM

Yoko Kato delivered this keynote address at the State House for Massachusetts Women's Commissions Day.

Domestic Violence cuts across all boundaries of religion, race, age, ethnicity, class, and gender. It is a tragedy that destroys the physical, emotional, and spiritual well-being of millions of children, youth, women, and men every year. Every nine seconds a woman is beaten in America. At least two million women are assaulted each year by their husbands or boyfriends. Twenty-five to forty-five percent of these women are battered during pregnancy. Ten women are killed every day in America by domestic violence. Men who batter women also batter their children, and kill.

Ten years ago, on January 11, 1993, my twenty-three-year-old daughter Sherry Morton and her eighteen-month-old baby boy Cedric were brutally murdered by Cedric's father.

The following description is taken from official court documents.

On the evening of January 11, 1993, the defendant called a coworker and told him that he had just killed his former girl friend, Sherry Morton, and their infant son. The coworker notified the Northampton police who went to Morton's apartment. They found the two victims on the floor in the bedroom. A knife, with only the handle visible, protruded from Morton's right cheekbone. The baby's body was lying next to his mother. He had been stabbed eleven or twelve times. There were blood spatters and smears on the shower wall, bedroom walls, ceiling, and bed. Forensic examination revealed that Morton had been stabbed fifty-six times. Forty-two stab wounds on her shoulder, arms, and hands indicated that she vigorously attempted to defend herself.

LES



This—Sherry and Cedric’s crime scene—has been cemented in my mind. The image of their death stays with me as many of you still see images of 9/11 and the falling Twin Towers.

When I first learned of this tragedy my every waking moment was controlled by pain and grief and guilt. About one month after the death of my oldest daughter, my only surviving daughter Jeannie told me, “Mom, you don’t ask me how I am doing anymore. You only talk about Sherry and Cedric. I am still here. I am grieving too. Don’t forget about me.”

Jeannie’s words were a turning point in my life. I do have another daughter, and I still have my life. I chose to become a voice for Sherry and Cedric, the voice they no longer have. Their young lives were taken away by an angry, jealous man who could not tolerate the end of the relationship. I was angry at him and God. Why did my daughter and grandson have to die? What did they do to deserve this? Why me? Why me?

But God must have had a plan for my life. I can still speak Japanese, and God must have known that Japan needed

someone to teach about domestic violence. I decided to travel to Japan as often as I could to educate people about this issue. On April 3, 2002, Japan established a domestic violence law for the first time in history. The law became effective October 13, 2002. Domestic violence is now a crime in Japan—I am proud to have been a part of this change. I have also become a voice for others who lost their lives to domestic violence. Now I can say, “Why not me?”

I have established the Memorial Scholarship Fund of Sherry Morton and her Son Cedric. It has helped educate 16 women who are mothers and former victims of domestic violence, enabling them to attend college.

On the tenth anniversary of Sherry and Cedric’s death, January 11, 2003, I donated a children’s play room at the local women’s shelter where children can be safe and happy, a place called “Cedric’s Room.”

Also on the anniversary this year, the city of Northampton became a “Domestic Violence Free Zone” to promote awareness and understanding of domestic violence.

Domestic violence is not acceptable behavior in a family. Violence must stop now. Battering is a crime—hold the abuser accountable. We women must unite against violence and make the world safe for our children around the globe. —Yoko Kato ■

An event has happened, upon which it is difficult to speak, and impossible to be silent.

Edmund Burke

Trauma survivors find centering and strength in Yoga Support Group

by Karen Dempsey
in collaboration with Andrea French, MSW
and Patty Lynch, RYT, BA

Andrea French is a social worker specializing in trauma. Patty Lynch is a part-time yoga instructor and an expert in program outcome measures who also trained as a rape crisis hotline volunteer. The two Health & Education Services, Inc. (HES) colleagues were discussing the benefits of yoga last summer when their conversation sparked an idea. The realization of their vision—a Yoga Support Group for trauma survivors—drew the attention of their peers, of the media, and, most critically, of the women who now gather each week for deep breathing and relaxed movement, and a rediscovering of strength and stillness within themselves.

“We talk a lot about grounding and feeling rooted in this group,” Andrea says, revealing through her descriptions that the language and purpose of yoga complement, in many ways, the language and purpose of therapy and group counseling support. “You have to stay present in your body in order to hold the poses. This gives the woman a moment of calmness and peace, free from the thoughts or memories that brought her to the group.”

Combining the yoga and support group works on a number of different levels. “The connection makes sense,” says Maureen, one of the group’s core members. “You’re taking care of your body—taking care of yourself inside and out.” The yoga aspect also brings in women who would not participate if the group was focused solely on verbalizing their experiences.

Format of the group

Andrea and Patty chose to meet Sunday evenings as a positive way to begin the week and to acknowledge

that juggling a weeknight schedule can sometimes add to the day’s stresses.

Knowing the anniversary of the September 11 attacks could trigger responses in people with trauma histories, they planned the group’s launch for September of 2002. They ultimately found that participants’ need for support increased not only with the September 11 anniversary date, but also as the women prepared to travel for the holidays and cope with uncertainty and unease in the face of war.


Andrea knew the benefits of groups dedicated to specific types of trauma, as she has led groups for surviving family members of homicide victims and for survivors of sexual assault and domestic violence in the past. But she and Patty conceived the Yoga Support Group as an opportunity to bring together women who had experienced a range of victimizations. The group attracted women of varying ages, including survivors of domestic violence, sexual abuse and incest, victims of robbery, witnesses of violence, and survivors of homicide victims. The women emphasize the commonalities among them. Though their backgrounds and experiences of trauma might vary, they find solace in the knowledge that all come to the group with an awareness and understanding of its impact on their day-to-day lives. The women also welcome the open format of the group, which allows new members to join along the way after a brief intake with Andrea.

Participants first gather in a circle for a check-in led by Andrea. They spend fifteen minutes, sometimes longer, talking about their experiences of the past week. Some might also discuss the challenges of actually getting them-

selves to the group that evening, and the anxiety or exhaustion that can interfere. Andrea sometimes offers the women paper and pens and allows them a minute or two to write. The writing helps clients clear their heads and serves as a bridge between the circle check-in and the yoga session.

After the writing, Patty leads the group in a sixty-minute yoga session. “The goal is to bring centering and relaxation into the room and to allow the women space for letting go and connecting with themselves,” she explains. She eases the women into the session with a seated warm-up and breathwork. Then the group moves through standing yoga poses that focus on strength and feeling powerful and grounded. The final poses are designed to cool the body down, and the class finishes with a relaxation exercise. “I also try to bring humor into each of the classes I teach,” Patty says. “Humor is a big way I handle the stresses of my own life, and laughing is a great way to let go of stress.”

Andrea participates in the yoga session herself, as she wants to be fully integrated in the group, but she stays off to the side of the room where the women can access her if they need to seek out one-on-one support. A separate, private meeting space in the building remains available for their use throughout the session. Following the yoga session, the women have another opportunity to write for a few minutes if they choose. Andrea then leads the group in a final check-in, an opportunity to talk about issues that might have come up for people during the yoga session and other stressors they anticipate in the week ahead.



Patty and Andrea are conscious of individuals' limitations, and they remind the women that anyone can choose to take a break or opt out of a particular move. "We encourage every woman to focus on herself and what is comfortable for her," Andrea explains. "For instance, if the body can only engage in a half-stretch, that's okay." In the same way, Andrea says that clients should not feel pressure to disclose everything about their traumatic experiences. "During the intake process, I encourage people to share only what they feel comfortable sharing. Some women never disclose why they are part of the group, others have waited until they felt comfortable in the group first."

Measuring impact

As the first Yoga Support Group drew to a close, Andrea and Patty created an exit survey asking about the women's experiences in the group. The responses were overwhelmingly positive. "Thank you for offering the program," one woman wrote. "I am beginning to regain control of my life."

For the second session of the group, Andrea and Patty developed a pre-group questionnaire that included questions about sleep, traumatic triggers, and stress. They will repeat the questions in a post-group survey to measure changes the women have experienced through the course of participating in the group.

Discussing the impact of the group on their day-to-day lives, the women describe the growing self-confidence that carries over into other aspects of life. One client talked of completing a half-marathon. A second woman agreed and described meeting her own challenge, a 20-mile walk for charity.

Looking forward

The first Yoga Support Group for trauma survivors concluded in March, and the group marked the milestone with a potluck celebration, sharing food and Yogi Tea. Some charter members signed up again for the group that began meeting in April.

Program funding constraints initially led Patty to volunteer her time, but HES then determined that funding from the Mass Counseling Network could cover her pay. (The Mass Counseling Network was created specifically to respond to community needs after the terrorist attacks of September 11, 2001.) The local rape crisis center had hoped to cover Patty's salary for her time spent leading the group after Mass Counseling Network funds terminated in May, but proposed cuts to the state budget have left the future of the group uncertain.

The group's impact will no doubt extend beyond the women who shape it and participate in it. Andrea and Patty have fielded calls from other therapists hoping to replicate the program. Still, Andrea and Patty are committed to seeing the group continue, and to measuring and documenting its impact on their clients. ■

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and injury; control is a batterer's forte. A batterer intervention program is designed to confront and defuse those dynamics of power and control.

Massachusetts law now requires that judges send batterers who violate restraining orders to state-certified batterer intervention programs. But a caveat weakens the mandate. Judges can, and do, refrain from ordering the programs if they make written findings justifying the decision. For example, some feel the programs are not warranted if the violation was not a physical assault, but the "no contact" and "stay away" provisions of restraining orders reflect the reality that battering encompasses more than physical abuse, and a defendant's flouting of any court order should be taken seriously.

Batterer intervention programs can offer another layer of accountability, a means of confronting batterers with their behavior, of monitoring them and reporting them to the courts when they fail to comply—all strong arguments for the imperative of supporting and improving these programs. Honest analysis and discussion of their advantages and limitations is essential. Programs must work toward more sophisticated strategies for monitoring, documenting, and responding to continued abuse—physical, verbal, emotional, sexual, and financial. To those ends, meaningful dialogue and collaboration among community partners remains paramount. But, for today, bypassing batterer intervention programs means failing to send batterers to the one intervention that might work, and failing to monitor their behavior in a meaningful way that avoids incarceration. ■

¹ Bennett, L. and Williams, O. Controversies and Recent Studies of Batterer Intervention Program Effectiveness, citing Dutton, D.G., Bodnarchuk, M., Kropp, R., Hart, S.D., & Ogloff, J.R.P. (1997). Wife assault treatment and criminal recidivism: An 11-year follow-up. *International Journal of Offender Therapy and Comparative Criminology*, 41, 9-23.

Attending a Certified Batterer Intervention Program:

A fictionalized account

By David Adams, Ed.D. and
Martha Cooke, M.Ed.

Bill is 34 and works as a purchaser for a large company. His boss finds him responsible, respectful, and courteous to customers, qualities that earned Bill a promotion to a managerial position. Bill's coworkers appreciate his humor, cheerful assistance, and calmness under pressure. Bill is active in his church and coaches his son's basketball team.

Bill has been married to Mary for nine years and they have two children, eight-year-old Matt and eighteen-month-old Sarah. Last August, Bill's boss and co-workers were shocked to learn that Bill was arrested for domestic violence against his wife. As a first-time offender, Bill was sentenced to one year's probation and ordered to attend a certified batterer intervention program. He assured his boss that he was not "a batterer" and that his arrest was mostly a misunderstanding. He said that he had only grabbed Mary by the arm to prevent her from getting behind the wheel of their car after she'd had a few drinks. This explanation made sense to Bill's boss, who knew Bill to be a devoted father and remembered that Bill had volunteered as a designated driver for a company holiday party.

"Bill" was one of about 2,300 men ordered to attend one of the Commonwealth's 23 state-certified batterer intervention programs in 2001. He is a composite character whose traits match the demographic profile for most referrals: a man in his early thirties, married or living with a partner, who has children, a job, and no prior record of arrests for violence. Note, however, that a substantial minority of those attending certified batterer intervention programs do have prior arrests for domestic violence, and virtually all

have committed prior acts of domestic abuse, even if these did not result in arrest. More than half are fathers, most of whom live with their children or continue to have contact with them through shared physical custody or visitation. Bill is also typical of most men who batter in that they often confine their abusive behavior to their partners and children, and avoid detection by friends, co-workers, and neighbors because their public image differs markedly from their private behavior.

The following is a fictionalized account of Bill's journey through a certified batterer intervention program. In this account, Bill completes his 40-week program, as do just over half those attending these programs. Those who drop out, re-offend, or otherwise fail to comply with program requirements are referred back to the court for resentencing, and may or may not be readmitted to the program depending upon the circumstances. The following scenario encompasses the issues and progression of responses common for perpetrators who complete their programs.

Week one:

During his first group session, Bill is asked to 'check-in' by describing his most recent violent or abusive behavior, and gives this account: "First of all, I'm not sure I need to be here. To tell you the truth, I'm not even sure why I'm here. My wife and I had an argument because she tried to drive after she'd been drinking. She got loud when I questioned her about it and I put my hand on her arm as she was trying to get behind the wheel. I think it was a neighbor who

called the police. It was a clear overreaction. My attorney advised me to plead guilty given the judge's reputation on domestic violence cases. He thought I might get a jail term if I didn't plead guilty and agree to the program, so here I am."

Week three:

Bill's program assigns a victim advocate to contact Mary to learn her account of Bill's violence, assess her level of danger, and refer her to any services that might be appropriate. Mary says, "A neighbor called the police but I'm actually glad someone did. I'd told myself I wouldn't put up with his abuse anymore, but I guess I haven't had the courage to call the police myself. That night, we argued because he was late coming home from work and missed taking our son to his doctor's appointment. I was mad and I yelled at him, I admit it. Bill got in my face and was yelling and swearing like he always does. He grabbed me when I tried to leave and twisted my arm behind my back. He kept me from leaving and then the police came. He told them I'd been drinking, but I hadn't. Lately, he'd been harping on me about the money I spend. I don't think he even knows how much groceries and especially baby food and diapers cost. He puts me on a budget, but then he goes out and buys a car that we can't afford. I didn't want him to go to jail. I still love him. But it's got to stop. My son's starting to show signs of fear when Bill starts yelling. My mother and father say I should leave him. Bill's not a bad person but his yelling and his violence seem to be getting worse. I just want him to change."

Week eight:

In his group, Bill says that he is learning a lot but complains that Mary isn't changing, and that she is still angry with him. "I've learned a lot. I react differently. I know when to walk away. But it still makes me angry that Mary can't follow a budget. And it seems to me that she just takes advantage of the fact that I don't get angry and react the same way as before."

Mary reports in a follow-up contact that Bill has refrained from any physical violence or name-calling but continues to raise his voice and grill her about her spending. Recently, he has begun to stay out late at night. "I feel like he's just punishing me in a different way. The kids wonder where their father is. I still can't have a normal discussion with him without him becoming accusatory or taking off. If I raise my voice just a little, he accuses me of being abusive."

At this stage, Bill is exhibiting two common patterns for abusers enrolled in batterer intervention programs: quick fix thinking and bargaining. Quick fix thinking is evident when abusive men expect their partners to immediately appreciate any changes they have made and to trust that they have ended their abusive behavior. Some abusive men who are separated from their partners expect reconciliation with their partners as soon as they have entered a batterer intervention program. When they do not see the desired response, they often resume the abuse or drop out of the program. Bargaining is evident when abusive men merely substitute one form of abusive behavior for another while continuing to hold the same controlling expectations they have toward their partners. Abusive men seeking to reconcile with their partners often resort to pressure tactics, ultimatums, financial withholding, and manipulation of the children. Quick fix thinking and bargaining are not unique to batterers. These patterns of resistance are also common to substance abusers in the early stages of treatment. Certified batterer intervention programs strive to help abusive men to identify

the differences between superficial quick fixes and more meaningful changes that may not produce immediate results.

Week twenty (program midpoint):

Bill has identified more of his abusive and controlling behaviors and how these have adversely affected Mary and the children. With the group's help, Bill has recognized that he was being manipulative and unfair to Mary by taking off rather than sitting down with her and talking calmly to resolve conflicts over money and other issues. However, he continues to blame Mary for problems and to show ambivalence about changing basic expectations that lead to abusive behavior. Bill says, "I recognize how selfish I've been but it's hard to change. I like to control the money. Sometimes it just seems like my way is better, or maybe I'm just more used to my way."

Mary reports that Bill has made some real changes and she appreciates that he no longer yells at her or the children. She feels that there are still double standards about spending money and care of the children. Bill does not take initiative to spend time with the children other than when Matt is playing basketball or other sports.

At the midpoint of the program, attention often shifts from illegal behaviors to more subtle forms of abuse or control. Throughout the process, group leaders also help men to identify more proactive steps they can take toward becoming more responsible partners and fathers.

Week forty (program end point):

In his group, Bill is able to identify more respectful and responsible ways of reacting to situations that previously would have led to his being abusive. He has stopped minimizing his past behavior and blaming Mary for "provoking him." He also reports that he has spent more meaningful time with his children.

Mary reports that Bill has taken initiative to help Matt with his homework and to read to Sarah at bedtime. She says he is generally more patient but still "has a ways to go." Mary says that Bill is more understanding about household expenses and has a more flexible attitude about budgeting and spending. She feels that Bill has begun to listen and resolve differences in a more respectful manner.

Certified batterer intervention programs provide a valuable service to courts, victims, and perpetrators by providing an opportunity for perpetrators to prove that they are willing and able to change. Even when offenders fail the programs, we provide a critical service by documenting noncompliance and assessing dangerousness. Many victims of abuse report that they benefit from their partner's or ex-partner's participation in a certified batterer intervention program, most often citing the outside validation that they are not responsible for the perpetrator's abuse and the relief that someone else is addressing the behavior. Victims of perpetrators who fail the programs have said that they appreciate the written documentation provided by the program.

Outcome studies suggest that there is a core group of batterers who never change, and may even get worse, after attending a batterer intervention program or serving a prison term. However, these studies have also shown that program completers are significantly less likely to re-offend than batterers who drop out of programs or who do not attend such programs at all. Outcome studies have further found that program completion rates are enhanced, and recidivism is reduced, when the perpetrator's program participation is closely monitored by the court. Certified batterer intervention programs can give abusers reasons for change and methods for doing so, but it is up to the individual batterer to decide whether he will continue the violence. ■

David Adams, Ed.D., is the Co-Director of EMERGE. Martha Cooke, M.Ed., is the Director of Project Safe at Bay State Community Services.

Massachusetts Marks an Anniversary

The coming months mark the 20th anniversary of the Massachusetts Bill of Rights. To recognize this momentous anniversary, the Massachusetts Office for Victim Assistance is planning a series of initiatives to celebrate advances in victim rights and consider the future direction of the field.

We look forward to the participation of our partners as we re-examine the implementation of chapter 258B, explore the law's strengths and shortcomings, and identify ways we can improve this statute and thereby improve the experience of victims and survivors with the criminal justice system.

We will begin this initiative by learning more about ten other states and a dozen countries with progressive victim rights laws. MOVA will compare our law with related statutes in those jurisdictions and survey victim service agencies to learn how their victim rights laws and corresponding victim assistance offices operate to serve victims across the country and around the globe.

For the second phase of our project, MOVA will convene focus groups with our partners in this work, including survivors and public and community-based providers. Participants will examine MOVA's findings to discover if any of the positive differences identified would further the essential work of advocates in our state. We will also ask participants to reflect on the successes and challenges of implementing the statute and brainstorm new ideas for advancing victim rights in Massachusetts. The ultimate product will include a report on our research and proposed legislation.

Recognition of the 20th anniversary will influence and inspire all of MOVA's planning and events for the coming year. We look forward to celebrating and reflecting with you through our publications and website and various training and sharing opportunities, culminating in the events of Victim Rights Week 2004.

A Conversation with Kevin Burke

continued from front cover

KD: *What steps were necessary then to ensure proper implementation of the law?*

KB: The obvious first step was the statutory requirement that people receive services. Accomplishing that took about a three-year process. I thought it was all apple pie and motherhood and through our sheer genius we could convince people of this. We were met with an astounding degree of skepticism. We had a justice system so turned on its head, people feared victim rights because they thought they might interfere with defendants' rights. I had a hard time understanding that.

KD: *Of what accomplishment should the movement feel most proud?*

KB: I think the movement should feel most proud of the fact that now, in the normal course of things, people view victims of crime as having rights, as having some say in what happens, having the right to be informed, to understand. To take away those rights you have to do it insidiously, which I do believe is a threat right now. But today victims are heard; there is an expectation that they be part of the process. Victim rights have become part of the legal culture, which is in some ways stronger than statutory support. Once it becomes part of the culture, I think you've arrived.

KD: *You mentioned the threat that rights could be taken away insidiously. Can you say more about where we need to go next with victim rights?*

KB: I have a special view that some of my colleagues in the field might not agree with. I think in Massachusetts, especially given the financial crisis, increasingly District Attorneys' Offices have to make tough choices across the board. On the other hand, we've all benefited from a wonderful group of

[community-based] providers who specialize in different areas, but who in many cases are tertiary or secondary providers. We cannot make the most of those providers if there are too few victim advocates in prosecutors' offices available to help people coming in the door. [Community-based] providers might become concerned at times, and they might have reason to, as they perceive victims not getting their needs met in the system.

There needs to be a real connection between the two. Victim witness advocates have to be right in there in the prosecutor's office—you can't outsource that type of work. We need to take a look at the resources, and we need to revisit VOCA funding. Unlike most states, in Massachusetts we dedicate most VOCA money to non-state agencies. Victim witness advocates provide critical coordination of services for victims. They make the system work well. This solid core has proved its worth for twenty years—to let it deteriorate now is a huge mistake and a disservice. ■

Happening

Judge bars online identification of sex offenders

The state cannot post photos or other identifying information on sex offenders on the Internet, according to a ruling by Superior Court Judge Thomas P. Billings. The judge ruled that the Massachusetts sexual offender notification law does not specifically allow Internet postings. The *Boston Globe* reported that photos of about 350 sex offenders were to have been posted May 15, but attorneys were granted a temporary restraining order delaying the postings. Governor Mitt Romney said he will likely file legislation expanding state law to include the use of Internet postings for notification.

Victim advocate appointed to Judicial Nominating Commission

Governor Mitt Romney included a victim advocate in his appointments to the state Judicial Nominating Commission. Diane Coffey brings both system- and community-based victim services experience to her role on the 21-member commission, which reviews judicial applications and advises the Governor on judicial appointments.

Governor creates Commission on Sexual and Domestic Violence

Governor Mitt Romney signed an Executive Order establishing a permanent Governor's Commission on Sexual and Domestic Violence. Lieutenant Governor Kerry Healey will chair the Commission, and the state's Secretary of Public Safety and Secretary of Health and Human Services will serve as vice-chairs. The new Commission incorporates the work of the existing Governor's Commission on Domestic Violence. A Steering Committee co-chaired by Cathy Greene, Interim Director of Jane Doe, Inc., and Beverly Kennedy, Executive Director of the Commission, has been appointed to develop the structure of the new Commission.

Jury indicts unknown rapist based on DNA profile

A Hampden County grand jury returned an indictment for an unidentified suspect in a three-year-old rape case based on DNA evidence. According to the *Boston Herald*, District Attorney William Bennett said the indictment marked the first time a Massachusetts grand jury charged an otherwise unidentified person based on DNA evidence. Investigators can check the DNA profile against future samples mandatorily submitted by those convicted of certain violent and sexual offenses.

Boston FBI office hires Victim Specialist

The Boston office of the Federal Bureau of Investigation hired Mark Sepe as the office's Victim Specialist, replacing Susan Durkin. Sepe brings his experience as a former police officer to the position. He will share responsibilities with Courtney Cotsonas of the Bureau's Rhode Island Office, who brings a wealth of victim advocacy experience from her work with a New Jersey prosecutor's office and several Rhode Island agencies. Sepe and Cotsonas are reaching out to other organizations and providers to exchange ideas and develop collaborative working relationships.

Court mandates domestic violence training for GALs

The Massachusetts Probate and Family Court announced a series of mandatory six-hour domestic violence trainings for guardians ad litem (GALs) in child welfare cases. The Administrative Office of the Trial Court, Boston Medical Center, and Massachusetts Continuing Legal Education (MCLE) are conducting the trainings for all guardians ad litem certified in certain categories, who must attend in order to receive further appointments. Topics covered include the impact of domestic violence on children and on parenting, the role of the GAL in cases involving allegations of domestic violence, reportwriting, and parental alienation.

Hawaii expands hate crimes law to cover gender identity

Hawaii enacted an extension of its hate crimes law to protect transgendered people and others whose gender identity might make them a target of abuse. The bill automatically became law ten days after Governor Linda Lingle received it and took no action. The amended law imposes longer sentences on offenders convicted of intentionally victimizing a person or a person's property "because of hostility toward the person's actual or perceived gender identity or expression."

Puerto Rico Court rules domestic violence laws do not apply to gays

Puerto Rico's Supreme Court ruled that victims abused by same-sex partners are not entitled to protection under the territory's domestic violence law. In a four-three decision on the 1989 law, the Court cited a legislative record focused on protecting abused women in heterosexual relationships. Former Senator Marco Rigau, President of the Senate's Legal Commission when the law was passed, told the Associated Press that the legislative intent was to include same-sex couples and that gender-free language was used for that reason.

BULLETIN BOARD

In Upcoming Issues

Focus

Serving immigrant and
refugee victims of crime

Innovations

Victim services
for Americans abroad

Victim Voices

A survivor of a hate crime

Victim and Witness Assistance Board Meetings

The Victim and Witness Assistance Board will vary locations of its 2003 meeting dates to increase opportunities for attendance from the community. Upcoming meetings are scheduled for July 23, 2003 (Plymouth County), September 17 (Boston), and November 12 (Worcester—to be confirmed from 2:00—4:00 p.m. Call MOVA at (617) 727-5200 to confirm locations.

SAFEPLAN Certification Training

MOVA sponsors a free training for new SAFEPLAN advocates, volunteers, interns, criminal justice personnel, and victim service providers September 22, 23, 24, and 26 at the Plymouth Public Library. To register, contact the SAFEPLAN Regional Coordinators: Claire MacNeill (Plymouth and Middlesex), (781) 963-3888 or claire.macneill@state.ma.us; Freddi Carbone (Barnstable and Bristol), (508) 833-7943 or freddi.carbone@state.ma.us.

Children's Advocacy Center Seminar Series

The Children's Advocacy Center of Suffolk County announces a new seminar series at Northeastern's Curry Center. Monthly speakers address topics including juvenile firesetting, child abuse prosecution, and human trafficking. Contact (617) 619-4276 or cac@suf.state.ma.us for information.

North American Victim Assistance Conference

The National Organization for Victim Assistance (NOVA) will hold its 29th Annual Conference in New Orleans, August 25-30. Visit www.try-nova.org for information.

Batterer Intervention Training

EMERGE, Inc. and the Massachusetts Department of Public Health hold a batterer intervention certification course September 10-12. For details call (617) 547-9879 or visit www.emergedv.com.

Kol Isha "Sukkah of Peace"

Jewish Family & Children's Service hosts its first Kol Isha "Sukkah of Peace" Event on October 16, 7:30 p.m., at Temple Israel, Boston, to celebrate the agency's Jewish domestic violence program. Speakers include a domestic violence survivor and author Carol Goodman Kaufman. Call (617) 558-1278 x1916 or visit www.jfcsboston.org.

Massachusetts Children's Alliance Event

The State Chapter of the national organization of Children's Advocacy Centers will mark and celebrate the past 20 years of multidisciplinary team response to child abuse and the growth of children's advocacy centers with an October event. For updated information call the Co-Chairs of the Massachusetts Children's Alliance Board: Janet Fine, (617) 727-5200, or Jenny Stokes, (413) 499-2800.

For more events and happenings visit our calendar at www.mass.gov/mova.



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